

Not used

Def Doc No. 1133

I A T F E

United States of America et al

against

FRANK, Oscar et al

SWORN

DEPOSITION (Translation)

Deponent : SHIRO, Yosuke

having first duly sworn an oath as on attached sheet and
in accordance with the procedure followed in my country I hereby
depose as follows.

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

THE UNITED STATES OF AMERICA, et al

-vs-

MR. I, Sadao, et al

AFFIDAVIT

Name: SAITO, Yoshie

I entered the Foreign Ministry shortly after graduating in the 42nd year of Meiji (1909) from the Law Department of the Tokyo Imperial University. In the beginning, I served at Peking and Tientsin as an assistant to diplomats and consuls. During this period I made journeys to the Outer Mongolia and Kansu. In the 1st year of Taisho (1912) I returned to the main office of the Foreign Ministry to serve in the China Affairs Section of the Political Affairs Bureau. In the 4th year of Taisho (1915) I was appointed Secretary of the Commercial Affairs Bureau of the Foreign Ministry and was ordered to concern myself in Chinese affairs. Thereafter I was appointed Consul in Hankow and then in Fuchow. After finishing these services, I served for a certain interval as Secretary of the Embassy at Washington when SHIDOMURA, Kijuro was Ambassador. In the 11th year of Taisho (1922), prior to the Washington Conference, I returned to Japan and served in the European-American Affairs Bureau for about a half year. Subsequently, I was appointed Chief of the 1st Section of the Commercial Affairs Bureau, and during this term of office, served concurrently as Acting Director of the Commercial Bureau when the Director was absent. It was then that I made a draft of the instructions for the Chinese Tariff Conference. Thereafter, I was

formally appointed Director of the Commercial Affairs Bureau. I was devoting myself to the Chinese and Russian affairs by the 15th year of Taisho (1926).

In the 1st year of Showa (1926), retiring from the Foreign Ministry, I was appointed Director of the South Manchuria Railway Company to deal with the matters concerning foreign countries and foreigners. At the end of the 6th year of Showa (1931) I was commissioned as an advisor to the Kwantung Army.

Since the 9th year of Showa (1934), I was an advisor to the South Manchuria Railway Company and was despatched to China. During this term, I was also temporarily commissioned as a diplomatic advisor to the China Expeditionary Army. During these 7 years in China, I visited almost all the provinces in Central and Southern China.

I was appointed as a diplomatic advisor to the Foreign Ministry when Mr. MATSUOKA, Yosuke became Foreign Minister in the KONOYE Cabinet which was organized in July, the 15th year of Showa (1940). After retiring from this post upon the resignation en bloc of the 2nd KONOYE Cabinet in June, the 16th year of Showa (1941), I was appointed Supreme Advisor of the South Manchuria Railway Company up to the time just before the termination of war.

Among books I have written on Manchuria and China problems, the principal ones are as follows:

"Legal Bases of Economic Activities of Foreigners in China"
12 volumes in all

"Comments on the Economic Treaties Concerning China"
Vol. I (Only "Nature of Opened Market" published)

Vol. II and following volumes
in manuscripts. Not published.

"Outline of International Relations with China"

"Study on the Chinese Guild System"

"Introduction to the Recent History of China's Foreign Policy"

The Main Subject: Vols. I, II, I.

It may rightly be said that the Manchuria Incident and the China Incident were brought about by the positive diplomatic policy which Japan was compelled to take in order to maintain her national existence, rights and interests. As the basic causes which have led to such incidents, the following must be mentioned:

1. Peculiar conditions existing within China.
2. Peculiar diplomatic trickeries resorted to by the Chinese authorities.
3. Special geographical and economical relations existing between Japan and China.
4. Prohibition or restriction of Japanese immigration and trade by foreign nations.

The truth of the Sino-Japanese conflict can never be fully understood without having sufficient knowledge about these matters. Therefore, I shall further explain the above-mentioned items, basing my explanation on my experience of more than 20 years as a diplomat, on the results of my observations in various parts of China (I have visited various places as far as the Outer Mongolia, Kentsu Province, etc.), and on my knowledge acquired by many years' investigation on China problems and so forth.

Chapter I

Peculiar situations existing within China inevitably call for peculiar diplomatic measures to cope with the nature of the incident and the general situation.

A. According to the result of my observation and research, there exists in China no government with sufficient power to control the entire land. Therefore, it is often very difficult to make a diplomatic agreement of great importance and consequently, even when an agreement is reached, we sometimes cannot expect it to be completely enforced.

From old times, there existed in China no strong government able to dominate the entire territory. Every government, since

One time of the Tang and Sung Dynasties, had set up itself after overthrowing the existing government by force and I have heard of a one who had reigned over the land by the will of the people. The government, therefore, is in substance an organization merely composed of civil and military functionaries, and usually has no direct representation of the people's will in respect to its formation and actual politics. All that the government did was to rule the people within the scope of its armed influence. "Unruled regions", as they are called by the Chinese government, are those districts outside the sphere of influence of the government where independent and self-existing administration is conducted.

Although the Republic of China, established in 1910 with democracy as its principle, has carried out considerable reforms in its policy and administration, the long-established people's idea of a government and their time-honored customs cannot easily be changed. The old situation still remained unchanged. The entire China, as a matter of fact, has been controlled by a number of independent political organizations and they have had little time except for fighting civil wars. These are worldly known facts. It was because of these facts that the international treaty of 1922, known as the Nine Powers' Treaty, had to include a clause, "To provide the fullest and most unembarrassed opportunity for China to develop and maintain a strong and stable government."

Then, why do such situations still exist in recent China? We cannot overlook that the cause is so deep-rooted and old that they cannot easily be removed. The reasons are innumerable but the main points are as follows:

First, the people's idea of a government is quite different from that of the people of a modern, unified state. That is, the people, as a rule, regard a government as belonging to the

officials and has little interest in it. A famous proverb of China, "Going out in the morning to till the soil and coming home in the evening to sleep, we have nothing to do with an emperor," tells us most clearly the people's idea of a government.

Secondly, extreme lack of communication facilities can be mentioned. It is true that, even in China proper, the time required to reach somewhat distant places is calculated by 'months'. Thus, it is natural that so-called 'preservation of the central political power' could not be expected.

Thirdly, I must point out the lack of homogeneity of language and the variety of races. China has various languages, each coming under an entirely different category. The Northern Mandarin and Southern Mandarin which are most widely spoken have different vocal sounds and are not generally understood outside of the officialdom. Furthermore, dialects are spoken besides Mandarin. For instance, Kwangtung has the Kwangtung dialect, Shanghai has the Shanghai dialect and in this way each Province has its own dialect. It is a well-known fact that only several miles from Fuchow, the capital of Fukien Province, entirely different languages are spoken and that there are many non-literate native dialects. Still more, in the frontier regions the Tibetan language is spoken in Tibet, the archaic Asiatic language in the southern part of Kwanghsi, the Mongolian language in Mongolia, and the Persian language in Ili and Hsinking. The official gazettes of China were at times written in both the Chinese and Persian languages in the south-western districts. Such being the case with the languages and literatures, we frequently come across not a few Chinese in the streets and other places who converse in English with one another. Racial differences intensify the complexity of languages and letters. The majority of populations in Kwanghsi and

Kansu Provinces seem to belong to foreign stock in the eyes of Chinese who live in China proper. In such border regions as Mongolia, Hsinking, Tibet, etc., all the inhabitants are of foreign races with a very few exceptions. These foreign races are different in their manners, customs and ideas from the Chinese. It is no exaggeration to say that there is none of them who does not harbour a hostile feeling against the Chinese. The lack of homogeneity of language and the variety of races have been great impediments to realizing the political unification of China and it is not at all possible to expect the central political power pervade throughout China. The government of General Chiang-kai-Shek, in view of this condition, has made a great effort to spread the national language and to unify languages. But the results are not noticeable up to present.

The foregoing explains the fact that the lack of control and a strong government in China contributes greatly to the fundamental cause of the situation. Consequently, very often a situation develops whereby, unlike between other civilized nations, unconventional diplomatic negotiation had to be carried out. The first reason is that, occasionally the government authorities, because of inability to fulfil their agreement with other nations in regard to the matters seriously affecting the people's interests especially the matters concerning different races, cannot take full responsibilities.

Secondly, the government, in spite of its intentions, is sometimes influenced by some group who is powerful with a great army at its command. The third is frequent occurrences of civil wars. Fourthly, mass power of the people is so strong as to influence the government policy. Accordingly diplomatic negotiations frequent run into difficulties and the important matters are left unsettled.

The states concerned, in regard to minor matters, can unwillingly drop them. But as a matter of course, they cannot do so when they are confronted with a problem of vital importance. As for matters concluded with the Chinese government, we can expect them to be carried out within those regions to which the government's authority is extended. If an agreement covers the entire of China, the foreign states concerned can only realize that it will be enforced locally, and their only consolation will be the fact that at least it is written on paper. There is an alternative to make up for this and that is to negotiate with the local governments. However, their political power does not, as a rule, pervade through the regions which come under them.

B. Military men, with armies at their command, can easily sway the government's intention, and this fact greatly complicates diplomatic negotiations. Successive governments of China had, without exception, secured their power by force of arms. Consequently, in contrast with the influential power of military men, civil officials curry favor with them, and, unless they blindly follow the intention of military men, they could not even expect the security of their lives and properties, not to speak of maintaining their positions. Military men with substantial power meddle in legislation, administration and judicature, according to their own interests, while the government could do nothing about it. This state of affairs has been important to some extent since the establishment of the Republic of China. But speaking of China on the whole, the old situation remains unchanged. China has both the theory and system by which legislation, administration and judicature are made independent of each other but in actuality this does not work out. Often we find it difficult to succeed in diplomatic negotiations when we deal only with the central or local

government. Therefore, while negotiating with the government, it becomes necessary to persuade the military men with power. When powerful military officers did not care to agree with us, we could not, as a rule, hope for bringing any diplomatic matter to a conclusion.

C. When the brutal force of the mass is directed against diplomatic matters, it becomes impossible to take a normal course of diplomatic negotiations. There is no modern state, above all, no democratic state, which does not make it an iron rule of politics to have respect for public opinion. In such a nation the people are given an opportunity to lawfully express their will and there is a system through which the people can do so. Furthermore, there is a way to judge and adjust people's will so as to keep it rational in order to reflect it in the national administration. Thus in such a nation the people's will and the politics are in line. In China, however, because such organizations and systems are lacking, so-called public opinion becomes confused and inconsistent in the process of its formation or in the process of translating it into action.

Let me hereupon observe the process of forming public opinion in China. A small group of people (leaders at times used to be young and inexperienced students, and other times hoodlums) first taking advantage of the Chinese people's susceptibility to agitation, spread their opinion among their circles; as soon as they obtain approval of a slightly larger number of people, they form a faction and win over the mass by exercising their group power. And thus after shaping so-called public opinion, they try to realize it by the force of mass movement of the people. Furthermore, such a movement is unconventional, accompanied by violence. Both natives and foreigners made an object of this

movement, were subjected to violence and threat, their livelihood disturbed, their residences burned down or demolished and their possessions destroyed by fire and relinquished. Such offenses were often accompanied by killing and wounding.

And it may be Britain and Japan who suffered the heaviest damage on account of such mass movements. The recent examples are the anti-British riots of 1924 in Hongkong, Canton and other cities, the May 30 Incident of 1925, and the riot of 1926, in an attempt to restore the British Exclusive Settlements in Hankow and Kuikiang. All these violent movements were aimed at encroaching upon the British rights and interests, and consequently the lives and properties of British subjects were at all times subjected to violence. At Shameen and Canton, even a state of hostilities existed. As to those movements which have been so often repeated for the purpose of discrimination of Japanese goods, the Chinese people first took such passive measures as the boycott of Japanese goods and the withdrawal of Chinese employees from the Japanese, then resorted to positive actions as attacking the Japanese lives and properties. Their outrages were undescribable. Every nation became from time to time an object of the mass movements. Not to mention the Boxer Incident of 1900, the general anti-foreign agitation at the time of the Nanking Incident of 1926 is one of the most outstanding examples.

As to the Chinese Government's attitude towards the above-mentioned movements, they were either unable to do anything or had no plans. With no sincerity to suppress the movements, they always waited with folded hands until the agitation cooled off. When the mass movements against Japanese goods took place, the Government tried to make Japan give in by instigating people or by utilizing them. Although a law to prohibit anti-Japanese movements was

promulgated, (the writer does not remember the date of the first law but the second law was promulgated in 1935) it proved to be ineffective and dead. To know why a Chinese mass movement can be so fervent and disorderly is absolutely necessary in grasping the true nature of such a movement, which has greatly to do with the Chinese conception of politics. The Chinese people have from ancient times been enjoying freedom and unrestrictedness almost unparalleled in any other country of the world. If anyone interferes in any way with their freedom, they stand up and fiercely resist him. Such is their characteristics. On the other hand, they heartily love their own homeland; and in their commercial and industrial business they usually organize a strong guild which is mainly maintained by members coming from the same province. The origin and functions of a 'guild' are quite different from those of an industrial association in other nations. A 'guild' is not stipulated by law and regulation. It has existed from old times as an organization for self-defense and mutual assistance. This organization is unique in the world in that its function is not merely to deal with industrial matters, but also to stipulate the ways of daily life and ceremonious affairs. Moreover, it tries in autonomous manner civil and criminal cases involving its members and even carries out capital punishments. The Government can not usually interfere with their business and they dare to resort to violence in case the Government policy is contrary to their interests or intentions. The Chinese people also have a peculiar and firm conception of self-defense. This conception originates from the fact that they cannot expect much legal protection in spite of disorderliness, repeated civil wars, rampancy of bandits, and the impotence of the administration. A traveler in China will witness that houses even in the interior rural districts

are surrounded by barrier walls with firing ports or high walls. And not a few rural millionaires have private armed guards of their own, numbering from scores to thousands. This is one of the reasons why mounted bandits and thieves form groups and equip themselves with weapons. Private corps, trained and armed in the military manner, are often organized when a civil war breaks out. They are called Commercial or Industrial Corps and are out of government control. Meanwhile, the Chinese people think the appearances of these corps to be a natural phenomenon as self-defense measures. In China there is another kind of self-defense corps called a "mixed army". While defending themselves, the members of the army protect their leader's life and property as his personal soldiers. In addition the army in response to a request of rural people, especially of wealthy classes, engages in the protection of their lives and properties. And, neither the Chinese army authorities nor the government has nothing to do with the organization and existence of the "mixed army". Units of the mixed army are often enlisted in the regular army under the name of Subsiding Armies and come under the control of the regular army. In such cases, however, what the "mixed army" mainly aims at is to derive financial support and the employment of personnel and the decision on their provisions are still undertaken by the "mixed army" leaders. There are many peculiarities of self-defense of the Chinese. Firstly, their self-defense is backed up by the use of armed strength. (Self-defense organizations possess swords, rifles, pistols and sometimes guns. It is told that even airplanes are used in the "Delta" zone of Canton.) Secondly, factions are formed and the power of multitude is always exhibited. Self-defense measures are indeed legitimate in any nation, but they are allowed only when an acute situation calls for them and the victim has no

alternative. But in China a self-defense measure is often resorted to even when there is no imminent threat. Thirdly, the actions of these self-defense organizations do not always conform to the laws and orders of the government. As evidence in the anti-foreign agitations, these organizations launch campaigns in answer to other mass movements. The above-mentioned peculiarities clearly indicate how mass movements originated in China and show the reason why they resort to peculiar actions. And these peculiarities have not only helped to develop a special form and system of the Chinese internal administration, but also have fostered a singular conception of diplomatic problems in the minds of the Chinese people. They take it for granted that they deal, on their own accord, with diplomatic affairs which they want to develop in their own favor, not wishing to leave them solely to the government. Hence it follows that they resort to the force of mass in tackling diplomatic matters. Such an instance is never seen in any other nation. The people's resorting to violence in regard to diplomacy and the lack of power and sincerity on the part of the government in suppressing mass movements make it necessary for the nation dealing with China, in respect to problems affecting the very existence of that nation, to stop such violent actions and to take whatever steps necessary to make the Chinese government follow a regular diplomatic procedure.

D. The fact that the Chinese have an intense feeling of discrimination and contempt toward foreigners cannot be overlooked. In the 3,000 years of Chinese history, the "Han" tribe, the backbone of the Chinese people, have enjoyed a higher culture than that of any other tribe. They called other tribes barbarians or regarded them as no better than birds or beasts. In spite of this, the Han tribe have suffered from trickeries played upon them by the neighboring tribes and their entire territory has more than once

been occupied by other tribes. The consequence is that the contempt for and the fear of other races has become a part of their traits. When Europeans and Americans began residing in China for the first time in the 18th century, the Chinese people regarded the white men as barbarians and treated them with contempt and discrimination. The fact that in the Peking Treaty of 1862 between Britain and China one article stipulates that foreigners should not be called "barbarians" explains what went on during these days. As the Chinese had more chances to associate with foreigners, their antipathy towards aliens gradually subsided but it still remains unchanged in the interior regions of China. And this antipathy in the interior has mainly been directed to foreign missionaries, who exceptionally had the privilege to make permanent residences in the interior. This attitude of the Chinese was not shown merely because of religion, but was partly prompted by the idea of contempt and discrimination against foreigners. In fact, nearly all Chinese conflicts or wars against foreign nations (the Opium War of 1842 between Britain and China, wars against the Allied Armies of Britain and France in 1856 and 1860, the Yunnan Incident of 1874, the Boxer Incident of 1900, the Sino-Japanese Incident of 1932 and 1937, the Nanking Incident of 1926, etc.) were caused by their attitude of disdain and excluding foreigners. So were often repeated mass movements. The Chinese people's strong feelings of disdain and excluding foreign nations made it necessary for any nation negotiating with China to take special measures in diplomacy.

It was Japan that was placed in the most difficult position in confronting the excluding and disdain attitude of the Chinese. As will be explained in another section, the Japanese relation with China involves not a few conditions which can neither be conceded nor overlooked from the standpoint of maintaining Japan's right of existence. It is because Japan was in such a difficult position that

she was forced to overcome the anti-foreign idea of the Chinese.

Chapter II

The peculiarities of the Chinese diplomatic measures call for peculiar means of diplomatic negotiations.

The Chinese policy of checking one nation by means of another makes diplomatic dealings with China complex and difficult. Since the opening of the country in 1842, China has suffered under the oppression of other civilized nations. Whenever she felt it impossible to alleviate a difficult situation by her own strength, she has adopted a makeshift measure which is to check one nation by means of another. And Britain has, for the longest period, been the object of such policy, as she has held a dominant position in China longer than any other nation. Japan has also been often victimized by the same policy. It is because Japan has sought to settle the Sino-Japanese issue smoothly and without causing further complication that she has tried to avoid a third party's intervention or interference. Nothing is further from her intention than to establish the "Monroe" doctrine in the Far East. It was because of her such intention that she refused the mediation proposal of America, Britain and France in 1932 concerning the Sino-Japanese conflict, and declined to accept the advice of the Lytton Commission.

3. Evasion of responsibility by both the Chinese central and local governments makes it extremely difficult to reach an agreement in diplomatic negotiations.

It has so far been Japan's policy towards China to negotiate mainly with the central government in regard to general issues pertaining to the entire China or to more than two provinces, and with the local government as to local matters. The relations of interest between these governments are so complex and intricate that Japan could not always adhere to this policy, and very often had to

negotiate with both governments. In such cases, Japan has often confronted with evasion of responsibility on the part of both of them. The central government refers to the intentions of the local government, while the latter asks Japan to negotiate directly with the former. The complexity and prolongation of negotiations on this account may be forbearable; but the writer remembers a number of cases where even matters of greatest urgency and importance have been left unsettled without any sign of agreement in spite of long years' efforts. The lack of unity and other circumstances in China may inevitably cause such a situation but the nations dealing with China had to bear with her for a long time and suffered losses of interests and rights. As to a matter of greatest urgency and importance, a nation dealing with China sometimes comes to feel it impossible to proceed with ordinary diplomatic measures in reaching an agreement in negotiations. This cannot always be judged unreasonable.

C. The fact that the Chinese government made the most of mass movements as a means of executing its policies has become one of the peculiarities in China. China, ranking among the first-rate countries in the art of propelling diplomatic negotiation by smooth words and secret means, has often tried to turn the negotiation to her advantage by making use of mass movements. In making use of them, however, the government is bound to take up such an issue as can win public favor, since the Chinese masses do not always move as the government wishes. Along these lines, the Chinese government has of late succeeded in making good use of the mass movements for "Recovery of Rights". In fact, the "Recovery of Rights" is a matter every Chinese government was deeply interested in and even the government of General Chiang-kai-Shek adopted this principle as a gist of its diplomacy soon after the capital was removed to Nanking in 1926. We can trace back the origin of the popular sentiment for

"Recovery of Rights" to the Russo-Japanese War and this was the subject most suitable for gaining popular sympathy because it had been so deep rooted in the heart of every Chinese.

On the other hand, her official negotiations by diplomats for "Recovery of Rights" came to a deadlock with difficulties every time when they were carried on. When the Government found it difficult to attain its object concerning the "Recovery of Settlements", "Abolition of Extraterritoriality" and "Regaining of Customs Autonomy" on account of (1) the situations existing within China, (for instance, as to the abolition of extraterritoriality, it was agreed to be abolished in principle only with a condition that the Chinese legislation be remolded), (2) of the complication of the interests of other powers, (for instance, concerning the extraterritoriality, every power concerned, for fear of upsetting the equal status of the powers, agreed to abolish it on condition that all the other powers also agree to do so, and (3) of the disapproval of some powers concerned, (for instance, Italy opposed strongly to yielding her exclusive concession), it continued on one hand its diplomatic negotiations, and on the other hand undertook to agitate, utilize and instigate the masses in order to facilitate the negotiations. But the people engaged in the movements did not always move as the government desired and they occasionally went so far as to assault the government authorities concerned, blaming them for their slow and poor tactics in diplomatic negotiations, (for instance, in 1927, Foreign Minister Wang Cheng-ting was beaten by a mob in his office). Yet so far as the movements are directed toward the foreign nations, the government tactfully took advantage of them, idly watching at the mobs violate treaties and commit inhuman acts such as assault, threat, setting fire and damaging foreign goods, and forcing their way into foreigners' residences and destroying them.

With this force of violence, the government expected to turn the negotiation to their advantage. Every power concerned, annoyed by the menace of such mass movements, repeated a strong protest to the government in every case. The Chinese government, however, did more than issue a formal admonition to the people or acted perfunctorily in checking such movements, lacking sincerity and ability to settle the agitation. As a matter of fact, the Government on many occasions seemed to hope secretly for more violent movements. In an extreme case the Chinese government once dared to declare, as a reply to the protest made by a foreign nation, a mass movement carried out in the spirit of patriotism should not be suppressed. Thus the powers had to make a concession to the Chinese government repeatedly and accept her demands. There are many instances of this kind and one of these is that the United Kingdom, suffering from the outrages committed by the local mobs against her exclusive concessions at Hankow and Chiuchiang in 1926, had no choice but to sign the agreement, giving up the concessions and announcing the so-called "New Policy towards China". Though the policy of "checking one nation by means of another nation" is not right in the way of diplomacy, it cannot be condemned as unlawful. However, it is the most unfriendly and outrageous precedent ever seen in any other country for the government to instigate the people to do grave harm and menace to the foreigners and their properties and interests in China, to do nothing when those violent actions are committed and to use the situation for the advantage of their diplomatic negotiations. The Japanese government and the people are the victims who suffered most from those frequent and extreme atrocities. Harms done in the course of repeated anti-Japanese movements to all of the Japanese residents, including young and old, women and children, are incalculable and the atrocities and outrages committed by the participants of the mass movements are beyond description. The

Japanese government was continuously making protests to the Chinese government to suppress the outrageous masses, to indemnify the sufferers and to guarantee against similar troubles in the future. But the hundreds of her protests brought no result as if they were gravel thrown into deep waters. As a result a great number of Japanese residents had to face a miserable condition, losing their jobs and properties, driven out of their homes, hardly being able to make a living and many being left to die. Under those circumstances to continue to trade with China even within minimum limit was difficult. Needless to say, Japan was driven into a plight in which she could not even dream of such a thing as economical cooperation with China which is a vital problem affecting the life of Japan. In the beginning the situation existed locally and it did not last too long but it spread all over China in time and began to last for a long period. Consequently, Japan found herself in such a plight that she had to resort to something other than a conventional course of diplomacy in order to protect her lawful rights and interests in China and to save herself from being ruined. In studying the causes of the outbreaks of the Manchurian Incident and the China Affairs, one can never make a right judgment unless he bears these things in mind.

Chapter III

The peculiar relation between Japan and China created many important conditions which directly affected the existence of Japan, and none of these conditions could be left unsettled.

Although there are many nations which have great interests in China, Japan alone had many grave problems which had to be settled diplomatically as soon as possible for her to maintain her existence.

It is based, needless to say, upon geographical proximity to China that China's problem is a problem of life or death for

Japan. The relation between Japan and China is not at all comparable to that between America or European countries and China. The Ishii-Lansing Agreement, concluded between Japan and America in 1917, endorsed the fact that Japan is in a peculiar relation with China because of her geographical position. But when we make a further study on this problem, we find that what really makes the China problem so important is her plight caused by her over-population for the solution of which the special position of China was considered

Japan was worried about the increase of her population amounting to 800,000 to 900,000 a year. And the inevitable difficulty and uneasiness caused by this in her political, social and economical aspects grew more serious year after year. Thus whether or not an effective measure can be taken in respect to this problem became a grave and burning problem upon which depended the existence of the state. But unfortunately, Japan had practically no room to exploit in her own land. "Birth control" policy could not be effectively put into practice. There were only two alternatives left; one was emigration and the other was further development of national industries. However, every state and land suitable for immigration closed the door to Japanese emigrants and there was a country, with all her vast territories and limitless resources, that went so far as to deport the Japanese immigrants already settled there. Thus, to solve the problem of over-population by means of emigration became entirely hopeless. Consequently, the only way left for Japan was to develop her industries if she wished to continue her existence. However, Japan not being blessed with natural resources and lands, had to seek outside of her territory those materials essential to the development of her industries. Although a market for Japanese manufactures had also to be found abroad, things were far from what she expected. To speak about industrial materials, as Japan's industries recently increased its productive power and her

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manufactures became more active in debouching into the world markets many of the productive countries gradually limited their supply of industrial materials to Japan. And just prior to the outbreak of the Manchurian Affair, Japan's industries suffered a terrible oppression -- some countries, such as restriction or prohibition of export and import, operation of customs systems, denial of making bargains, and other bold steps to restrict Japan's export. Furthermore, as for foreign markets, Japanese goods, soon after the First World War, met with heavy customs duties which increased year by year and with other restrictions or they were totally prohibited. And the Japanese government, with little hope for the future, did all she could to map out counter-measures to deal with various boycotts.

Consequently, in order to maintain her existence, Japan was obliged to concentrate all her efforts towards the China continent, giving up her industrial policy to trade with the world at large. This ultimately led up to the outbreak of both the Manchurian and the Chinese incidents. It may not be an exaggeration to say that the states which excluded Japanese from emigrating into their countries and oppressed Japan in regard to her trade are partly to blame for the above two troubles. Japan never had a territorial ambition in China. Japan's intention was nothing but to ask China for materials Japan is wanting and to meet the demand of China for goods which China needs and thus, by the combined efforts of the two to bring forth an intimate relation and peace in the Far East, which ultimately contributes to the world peace. This is, of course, not a hypocritical diplomatic eulogy. This is the fundamental principle of Japan towards China which I have been inculcated by the senior authorities and which I have endeavored to realize through my over twenty years of diplomatic service. The reason why Japan had been patient and tolerable in spite of the "anti-Japan and exclude Japan movements", which were insultingly and outrageously repeated

The basis of this, is that Japan considered that the two nations were destined to cooperate with each other in the end. But between these two nations there were some grave factors which obstructed the achievement of this ideal. Unequality between Japan and China was important among those factors. There is no cooperation without equality. Japan hoped for a long time that the two states, by discarding unequality, come to good terms and unite amicably and completely on equal basis. Originally, Japan's privilege of inequality in China was acquired only when the "Sino-Japanese Treaty of Commerce and Navigation" was concluded in 1895, about fifty years later than England and the other countries had come to enjoy a privilege of the kind. But already, in 1901, Japan agreed with China on a principle to abolish the extraterritoriality by concluding the supplementary treaty of Sino-Japanese Commerce and Navigation. Then she willingly signed the various treaties and agreements concluded or adopted at the Washington Conference in 1922. Furthermore, at the international conference on the "Chinese Tariff Reform" held at Peking in 1925, she led the meeting by proposing the draft of a most liberal treaty in regard to the restoration of customs autonomy of China in spite of her enormous loss in foreign trade. Thereafter, she always expressed her greatest sympathy towards the desire of the Chinese people to denounce "unequal treaties" and hoped that they could attain their object as soon as possible. Although unfortunately the realization of the Chinese people's desire was delayed because of the complication of rights and interests of the other states involved and other reasons, Japan, by concluding several agreements with the Nanjing government in 1940, waived the extraterritoriality, gave back her special concessions and provided a basic principle of economical cooperation. Although these treaties are invalid today, they are evidences through which one can learn that the Japan's principle towards China has been.

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In those days Japan was ready to go a step further to conclude with China such treaties as could contribute to the welfare of China. Japan would have been willing, as a matter of course, to cooperate with the Chiang-kai-Shek government if the Chiang-kai-Shek government had so desired. She would also have been ready to make further concessions if the Chiang government had accepted her proposition for economical cooperation between Japan and China. Japan's withdrawal of her troops from every part of China, which was considered most important by the Chiang government, was to be realized as soon as an agreement could have been reached on the principle laid down when the troops were first dispatched. Much to our disappointment, however, the frequent negotiations for peace proposed by Japan to the government was unfortunately not accepted in any way and the situation finally developed into what it is today. World-wide questions are: "Why Japan tried to realize, by force, her principle towards China if she aimed at economical cooperation?" "Would not the use of arms make economical cooperation between Japan and China impossible?" Although Japan can easily answer in affirmative to these questions in principle, what was there for her to do? The situation in China forced her to take measures other than a conventional course of diplomacy and to resort to a strong method the fact which I have roughly described in Chapters I, II and this chapter. In short, Japan, while obliged to maintain her state existence, was unable to reach anywhere through years of diplomatic negotiations, hampered by the peculiar situations in China, but instead, confronted with the challenge of the Chinese mass movements. She was thus compelled to take up arms to protect her vested rights and interests, the lives and properties of the Japanese residents, and to lay a foundation on which Japan and China might be able to realize complete economic cooperation in the future.

The necessity and enthusiasm of the Japanese to depend upon

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China have never been so great as during the periods of the Manchurian Incident and the China Affair. In such times, why should Japan voluntarily undertake to do something that might even temporarily impede the diplomatic relations with China? Primarily, diplomatic dealings are often carried out by taking advantage of the weak point of the opposing people. For example, intimidation or use of force was often applied in order to make the most of the Chinese weakness in power. It is no exaggeration to say that by such tactics was concluded the majority of the treaties between China and Britain, France, Russia, etc., in the 19th century and the first half of the 20th century since China opened her door in 1842. Especially,

China was made by the combined forces of many big powers to conclude the treaties in settling the Boxer Uprising in 1900. Although lately we do not hear many instances that European states or America audaciously used such a means, we can not say that there has not been any. As a matter of fact, in the "May 30 Incident" in 1925, Britain landed big forces as many as 20,000 in China, and other powers also landed their marines at Shanghai; in 1926 the British warship fired on Wenhhsien; in 1920 (?) the Soviet Russia attacked the Manchurian forces in the border districts of China and Siberia when Cheng Tsuo-lin carried out anti-Russian movements; when the Nanking Incident broke out in 1926, warships of America, Britain, France, Japan, etc., bombarded the fort of Nanking.

For a long time, many powers stationed their garrison troops in Peking-Tientsin district; and regularly posted many warships with marines on board in the ports or rivers of China along which principal cities were located. And a kind of fighting troops were often organized by their residents and trained under the leadership of military officers. The aim of all these preparations was to apply force in emergency. Of the above, the system of stationing forces in North China was abolished according to the decision at the

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Washington Conference in 1922, but the others still remained in practice.

Some powers might consider that these measures were taken for the protection of their residents in case of emergency. For countries to whom the protection of their interests means no more than the protection of their residents, forces can be stationed in China actually for such a purpose only. Japanese interests in China are much different. Especially, Japanese interests concerning the economic cooperation between Japan and China as already referred to were so grave as to affect the very existence of Japan. Therefore, I believe that the other nations cannot but realize the fact that Japan, under unavoidable circumstances, must resort to a strong method at times in order to protect her interests.

Generally speaking, if one nation resorts to arms against another nation, it usually causes a war; and even if force is not used, oppression and menace by force constitute the danger of outbreak of a war. What must be taken into consideration also is the fact that it is not always the case with China because of the peculiar situation existing there. For instance, Britain concluded the Chefoo Treaty by concentrating her forces at Hongkong at the time of the Yunnan Incident but it did not result in an Anglo-Chinese war. When the "Wuchow Incident" broke out in 1925, Britain landed 20,000 forces in China (Britain advised Japan to dispatch her forces jointly but was rejected by Japan) in settling the problem but that did not bring about a war between Britain and China. And also when the Nanking Incident took place in 1926, the bombardment of the fort of Nanking by America, Britain, France, etc., did not result in a war against China. In 1929 the Soviet forces attacked Chang Hsueh-liang's troops but in this case too it was not regarded as a war.

In view of these facts, it is clear that diplomacy towards China is something unique and unconventional; and the use of pressure against China, whether by military power or through

intimidation thereof, was the common means which many powers adopted in settling important diplomatic affairs.

Therefore, the fact that Japan used force in settling anti-Japanese problems should not be regarded as a deviation from these precedents, and even if her use of force did violate the common international laws, the peculiar situation in China forced Japan, much to her regret, to resort to such measures.

Let me repeat the real objectives for which Japan mobilized her troops in the Manchurian Incident and the China Affair. What Japan wanted was no more than to protect her own rights and interests guaranteed by the treaties between Japan and China by stopping violent actions on the part of Chinese people and by making Sino-Japanese diplomatic relations follow a normal course and to help to bring about a happy solution in respect to economic cooperation between the two states which was the matter of life and death for Japan. Therefore, it was the Japanese government's intention from the beginning to withdraw all her troops if it was possible to reach such a solution and understanding. The Chungking government under the control of General Chiang-kai-Shek took up the problem of troop withdrawal first of all and declared that no diplomatic negotiations will be carried out as to economic cooperation, etc., unless Japan withdraws her troops. However, it is regretful that the peculiar state of affairs in China, as already explained, did not allow Japan to concede to the intention of the Chinese government.

In short, Japan's dispatch of her troops to China in both incidents was pure self-defense military action without any aggressive intention and such a military action was not a violation of treaties. Upon conclusion of Kellogg-Briand Pact in 1928, Japan, like America and Britain, attached a reservation to the effect that the said Pact should not be applied in respect to the right of self-defense. Japan naturally had approved the statement, made at that time by the Secretary of State of U.S., to the effect that when and

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to what extent the right of self-defense can be used can only be decided by the party concerned. Accordingly, it is no other nation than Japan that can decide the extent and ways of using military forces in the incidents.

There may be differences of opinions as to whether or not the incidents can be regarded as wars. However, we must bear in mind that Japan had no intention to wage a war, that neither Japan nor China declared a war, and that there were many instances in the past when the use of force by other powers against China was not considered as a war. To judge any use of force in China as a war is to disregard the peculiar state of affairs in China. It is quite natural for Japan, who does not consider the China Affair and the Manchurian Incident as wars, to insist that none of the laws of war can be applied to these incidents. It is not right to consider the Japanese plan for economic cooperation between her and China as aggressive even though Japan used force in the Manchurian Incident and the China Incident. If the word "aggression" means extension of influence abroad, it is not only Japan that committed economic aggression. But if it means aggression in the true sense of the word, to call Japan an economically aggressive nation is a great slander.

Japan only tried to solve her acute problem of over-population on a mutual understanding with China so as to maintain her existence. Although various powers appealed to their big forces in North China in 1900, no one called their economic expansion to China economic aggression. And although warships of Britain, France, etc. shelled the city of Nanking during the Nanking Incident in 1925, I have never heard of anyone say that their economic activities in China are economic aggressions. It is difficult to see why the Japanese economic activities based upon the rights of treaties and aimed at economic cooperation between China and Japan should be aggressive on the ground that Japan used military forces in the Manchurian

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Incident and the China Affair.

The above mentioned plan for Sino-Japanese economic cooperation was not mapped out to deny the principle of equal opportunities in commerce and industry in China to various powers. Since the acceptance of the U.S. Secretary of State Hay's proposal in 1900, Japan participated in all treaties or agreements which acknowledged this principle of equal opportunities, promised to observe it strictly, and made every effort to conform to the treaties even in those cases in which her economic interests were unfavorably affected. Therefore, Sino-Japanese economic cooperation which Japan advocated was not for Japan to monopolize interests in regard to economic activities in China. However, there is one thing which I must add.

It is the fact that during the Manchurian and China Incidents, certain situations did not permit the principle of equal opportunities to be observed strictly. These situations were, generally speaking, attributable to the following causes:

(a) In purchasing goods which were absolutely necessary for military use, the quantity involved was so large that there was very little left for foreigners to buy.

(b) Owing to fighting, etc., general transactions were exceedingly cut down for a certain interval.

(c) As peace and order in the areas in which battles were fought were, for a certain term, disturbed so much that foreigners in general were compelled to hold off their business.

(d) On account of the strategical necessity of operation, foreigners were, for a certain term, prohibited from travelling in some districts.

Sometimes privileges similar to monopoly were granted to some Japanese firms, but they were limited only to specified enterprises and it was never denied to foreigners to run the same kinds of enterprises.

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But such situations as resulted from Japan's use of military forces against China were quite unavoidable, temporary and abnormal. They were of such nature as would be gradually brought back to normalcy with improvement of the condition. It is an extreme slander to say, judging from these matters, that Japan refused to give other powers equal opportunities in commerce and industry. Considering that Japan did intend to withdraw all her forces from China from the beginning, it is not justifiable to put too much stress upon the temporary measures referred to above. There are many precedents where the rights of foreigners granted by treaties were unavoidably restricted or suspended temporarily due to incidents, civil wars and conflicts. In such cases, the states concerned used to tolerate these things even when they could not but regard them as infringements of treaties. Why can it be that a generous attitude cannot be assumed towards Japan alone?

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Translation Certificate

I, Arthur A. Misaki, of the Defense Language Branch,
hereby certify that the foregoing translation described in the
above certificate is, to the best of my knowledge and belief, a
correct translation and is as near as possible to the meaning of
the original document.

/s/ Arthur A. Misaki

Tokyo, Japan
22 April 1947

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On this late day of Dec., 1946

At T.M.T.F.B.

DEPONENT SATO, Yoshie (seal)

I, KIYOSE, Ichiro hereby certify that the above statement was sworn by the Deponent, who affixed his signature and seal thereto in the presence of this witness.

On the same date

At the same place.

Witness: (signed) KIYOSE, Ichiro (seal)

OATH

In accordance with my conscience I swear to tell the whole truth withholding nothing and adding nothing.

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not used

予ハ明治四十二年ニ東京帝國大學法科大學ヲ卒業
シ、同モナク外務省ニ入レリ。當初ハ北京及天津
ニ於テ外交官補、領事官補タリ。此ノ期間ニ外蒙
古、甘肅ニ旅行セシコトアリ。大正元年ニハ外務
本省ニ歸リ政務局支那課ニ勤務ス。大正四年ヨリ
ハ本省ノ通商局付書記官ヲ拜命シ、支那問題ニ關
係スルコトヲ命ゼラル。其後漢口及福州ノ領事ヲ
拜命シ、其ノ任務ヲ終リテ後、一時ワシントン大
使館ニ於テ書記官ヲ勤ム。當時ノ大使ハ幣原喜重
郎氏ナリ。大正十一年ワシントン會議ノ前ニ歸朝、
約半年位ハ欸米局ニ勤務、後ニ通商局第一課長ヲ
命ゼラル。局長不在ノ場合アリシ爲、通商局長代
理ヲモ勤メタリ。彼ノ文部社會議ノ勅令案ヲ起
案シタコトモアリ。其後通商局長ヲ正式ニ命ゼラ
レ大正十五年頃ニハ支那及「ロシア」ノ問題ニ專
念ス。

昭和元年外務省ヲ退キ、南滿洲鐵道株式會社ノ重
役トナリ、滿鐵ノ外國並ニ外國人ニ關スル仕事ヲ
取扱ヘリ。昭和六年末ヨリ關東軍顧問ヲ囑託セラ
ル。又昭和九年ヨリハ滿鐵ノ顧問ヲ囑託セラレ、
支那ニ出張ヲ命ゼラル。此ノ間一時支那派遣軍ノ
外交顧問ヲモ囑託セララル。支那出張七年間ニハ、
支那中南部各省殆ンド足跡ノ到ラザルトコロナシ。

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一 昭和十五年七月近衛内閣が成立シ松岡洋右氏カ外務大臣ニ就任スルヤ、予ハ外務省外交顧問ヲ命ゼラル。右第二次近衛内閣が昭和十六年七月總辭職致シタルトヤ、右外務省外交顧問ノ職ヲ退キタルガ其後南洋洲鐵道株式會社ノ最高顧問ヲ囑託セラレ終戦直前ニ及ヘリ。予ノ若輩中滿洲及中國ニ關スルモノノ内主ナルモノハ次ノ如シ。

支那ニ於ケル外國人ノ經濟活動ノ法的根據

全十二冊

支那經濟條約論 第一卷 (關稅場ノ性質、出版スミ)

第二卷以下稿了、未出版

支那内陸關係概説

支那ギルト制ノ研究

最近支那外交史序説

本論、上、中、下三卷

滿洲專許及ヒ支那專賣、日本ガ國家ノ存立及權益ノ保持上萬已ムヲ得ズシテ有ヒタル外交ニ因リ疲シタリト云フヘク、其ノ茲ニ至レル根本因由トシテハ

(1) 支那内部ニ存スル特殊事情

(2) 支那當局ノ用フル特殊ナル外交謀略

(3) 日支兩國間ニ存スル特殊ナル地理的及ヒ經濟的關係

(4) 外國ノ日本移民ト對日貿易ノ禁止又ハ制限ノ因者ヲ尋ゲザルベカラズ。此等ノ事態ガ充分ニ認識セラレザル限り日支紛争問題ノ本質ハ遂ニ之ヲ知悉スルニ由ナカルベシ。依テ予ガ外交官トシテノ二十年ノ經驗、支那各地觀察ノ結果（遠ク外蒙、甘肅等ノ諸地ヲモ觀察シタリ）並ニ多年ニ亘ル支那問題ノ研究等ニ基キ得タル知識ヲ基礎トシ前記各項ヲ順次左ニ説述セントス

第一章 支那ノ内部ニ存スル特殊事情ハ事件ノ性質及ビ一狀況ニ應ズル特殊ノ外交手段ヲ不可避ナラシム

(A) 私ノ研究シタ結果ニヨレバ支那ニ全土ヲ支配スル實力アル政府存在セズ、爲メニ重大ナル外交案件ノ協定ガ屢々困難トナリ又假令協定成立ヲ見タリトスルモ之レガ徹底的實施ヲ期待シ得ザルコトアリ。

由來支那ニハ全土ヲ支配シ得ベキ鞏固ナル政府ノ存シタルコトナシ、唐宋以後ノ支那ノ歷朝ハ何レモ武力ニ依リテ既存ノ朝廷ヲ仆シ其地位ヲ獲得シタルモノニシテ、人民ノ總意ニヨリ君臨シタルモノアルヲ聞カズ、從テ政府ハ實質上文武官人ノミノ集團的組織タルノ本質ヲ有シ、其ノ成立ノ因由ト政治ノ實質トニ於テ、民意ト直接ノ關係ナキヲ

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4

常トシ、確實力ノ及ブ限リニ於テ人民ヲ規導シタ
ルニ過ギズ、支那政府ノ自ソ討フ所ノ「化外」ノ
地トハ政府ノ處力行ハレズシテ獨立自存ノ政治ヲ
施行スル地歟ナリ。一九一〇年出現シタル中華民
國ハ民主主義ヲ標榜スル文ケニ政綱及ビ施策ニ相
當ノ變革ヲ行ヒタリトハ云ヘ永年ニ亘ル國民ノ政
府認識ト古來ヨリノ旨意トハ一朝一夕ニシテ以ム
ベクモナク、漸次編纂ニ存シ、全支那ハ事實上以
多ノ獨立政治國體ニヨリテ支配セラレ、内亂ニ罹
レ日モ足ラザリシハ世界周知ノ事實ナリ。九國條
約トシテ知ラレタル一九二二年ノ國際條約ガ「支
那ガ自ラ有力且安固ナル政府ヲ建立維持スル爲取
モ完全ニシテ且ツ最モ輕得ナキ議會ヲ之ニ供與ス
ルコト」ノ一項ヲ設ケザルヲ得ザリシハ之レガ爲
ナリ。然ラバ斯クノ如キ欲意ガ何故ニ最近マデ猶
ホ支那ニ存在スルヤト云フニ緣由經メテ深ク、且
ツ舊クシテ一タニシテ之ヲ除却スルヲ得ザルモノ
アルヲ看過スルヲ得ズ、之ヲ許記スルノ遺ナキモ
要スルニ第一ニ政府ニ歸スル民衆ノ認識ガ他ノ近
代統一國家ノ夫レト大ニ異ナルコトナリ。即チ民
衆ハ政府ヲ以テ官人ノ政府ト心持、之レニ多クノ
關心ヲ拂フコトナキヲ常トス。支那ノ有名ナル古
語ニ「一朝ニ出テテ耕シ、夕ニ歸ツテ食ヌ、帝王我
ニ於テ何カ有ラント有ルハ民衆ノ對政府概念ヲ
最モ明確ニ物語ルモノナリ。

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第二ニ交通設備ノ甚ダシキ不備ヲ舉グルヲ得ヘク支
那本部内ニ於テモラ稍ヤ遠隔ノ地ニ至ル所要日數ガ
「月」ヲ規準トシテ計算セラルルノ實情ニアリ。斯
クテハ所謂中央政治力ノ透徹ヲ期待シ得サルハ當然
ナリ。第三ニ言語ノ不統一ト人種ノ多様ヲ舉ゲサル
ヘカラス。支那ハ極メテ多種類ノ言語ヲ有シ、何レ
モ皆全然異ナル「カテゴリー」ニ属ス。其ノ内最
モ廣ク行ハルル官話ニモ北方官話ト南方官話トハ音
韻異ナリ、而カモ官場以外ニ多ク通用セス、又官話
ノ外、多量ノ土語アリ。例ハハ廣東ニハ廣東語アリ
上海ニハ上海語アリト云フカ如ク各省皆固有ノ土語
ヲ有ス、福建省ノ如キニ至リテハ、首都福州ヲ去ル
數里ノ地ニシテ全然異ナル言語ヲ有シ、文字ヲ存
セサル土語多キハ有名ナル事實ナリ。然シ夫レ邊境
地方ニ至リテハ西藏語、廣西ノ南部ニハ古代亞細亞
語、蒙古ニハ蒙古語、伊犁中、新疆ニハ波斯語通用
シ、支那ノ官報ガ西南諸地ニ於テ嘗テ漢文ト波斯文
トヲ併用シタルコトアリ、言語文字ノ情勢此クノ如
クナルカ爲メ、支那人中英語ヲ以テ相互ノ意思ヲ表
明シ合フモノ少ナカラサルハ支那ノ衙門等ニ於テ常
ニ見ル所ナリ。言語文字ノ亂雜ハ亦人種ノ相違ニ依
リテ益々甚シカラシメラル。支那本部ニ付テ云フモ
廣西、甘肅二省ノ人口ノ半數以上ハ漢人ヨリ見レハ

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異民族ニ屬ス。蒙古、新疆、西藏等ノ邊境ニ在リテ
少數ノ例外ヲ除クノ外、總テ異民族ナリ。而シテ此
等異民族ハ漢人ト風俗、習慣、思想ヲ異ニシ、且ツ
漢人ニ對シ、敵意ヲ有セザル者無シト云フモ過言ニ
アラス。言語ノ不統一及人種ノ雜多ハ支那ノ政治統
一ヲ妨礙スルコト極メテ多ク、中央政治力ノ透徹ノ
如キハ到底之ヲ期待スルヲ待ス。之レニ鑑ミ蔣介石
將軍ノ政府ハ國語ノ普及ト言語ノ統一トニ多大ノ努
力ヲ拂ヒタルモ效果ノ見ルヘキモノナクシテ今日ニ
至レリ。又那ニ統一セル國家ナク鞏固ナル政府無キ
コトカ極メテ根本的ナル事態ニ原由スルハ以上ノ如
シ。其ノ結果、外交々渉ハ往々ニシテ他ノ先進國間
ノ外交ト趣ヲ異ニセサルヲ待サル事態ヲ發生スルコ
ト稀ナラズ其ノ一ハ事ノ人民ノ利害ニ重大ナル關聯
アル事項就中異民族ニ關スル事項ニ付テハ政府當局
若ニ外國トノ約束ヲ履行シ得ル實力ヲ缺キ責任ヲ取
ルヲ得サル場合アルコト、其ノ二ハ大兵ヲ擁スル實
力派ノ勢力偉大ニシテ、政府ハ其ノ意向ニ動かサレ
サラントスルモ待サルコト、其ノ三ハ内亂ノ頻發ス
ルコト其ノ四ハ人民ノ集團威力カ政府ノ施策ヲ左右
シ得ル程大ナルコト等ナリ。從ツテ外交上ノ交渉ハ
屢々困難ヲ來シ重要事件カ事件ヲ未解決ノ儘放擲セ
サルヲ待サル場合少ナカラズ、事ノ輕微ナルモノニ

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付テハ關係國ハ已ムヲ待ストシテ泣寢入ルヲ得ルモ
國家死活ノ重大問題ノ關スル限リ到底斯クノ如キヲ得
サルハ言フ迄モナシ、又支那政府トノ妥結事項ニ付
テモ之レカ完全ナル實施ヲ期待シ得ルハ政府ノ權力
ノ及フ地域ニシテ寧ノ支那全土ニ關スルニ於テハ、
關係外國ハ紙上ノ條約規定ノ存在ヲ以テ自ラ慰メ實
施ノ限地的ナルヲ默認スルノ外途ナシ。尤モ地方政
權トノ交渉ニ依リ、此ノ缺ヲ補フノ資アリト雖モ、
地方政府ノ政治力モ亦勢力國又全部ニハ浸透シ居ラ
サルヲ通例トス。(B) 擁兵ノ武人カ政府ノ意思ヲ容易
ニ歪曲シ得ルコトハ、外交々涉ヲシテ複雑多端ナラ
シム。支那歷代ノ朝廷カ例外ナク武力ニ依リテ勢權
ヲ贏得タル結果、武人ノ勢力ハ常ニ隆々、文官ハ之
レカ鼻息ヲ窺ヒ、其ノ意圖ニ盲從セサル限リ、其ノ
地位ヲ保ツコトアタハサルハ勿論、生命財産ノ安固
スヲ猶ホ期シ得スシテ、實力アル武人ハ立法ニ、行
政ニ、司法ニ、各々其ノ利害ニ依リテ干涉容喙シ、
政府ハ之ヲ如何トモシ得サル實情ニ在リ、中華民國
ノ成立以來此點稍ヤ改マリタリトハ云ヘ、支那全土
ニ付テ云ヘハ猶ホ舊態ヲ脱スル能ハサルナリ。從テ
支那ニハ三權分立ノ思想ト制度トアレトモ、實ナク、
外交々涉ノ如キモ中央又ハ地方政府トノ商議ノミニ
テハ成功ノ困難ナルモノ少ナカラズ。勢ヒ政府トノ

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交渉ノ外、實力ヲ據スル武人ノ説得ニモ努メサル可
カラス。若シ實力アル武官ニシテ妥結ヲ欲セサルニ
於テハ、如何ナル外交策モ遂ニ解決ヲ望ミ得サル
ヲ常トシタリ。

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(C)

民衆ノ集團的暴力ノ勢威甚大ニシテ其ノ鋒銳カ外交問題ニ向ケラル、ニ當ツテハ外交々渉ヲシテ普造ノ外交手段ニ依ルヲ待ザラシムルコトアリ、近代國家就中民主主義的國家ハ何レモ輿論ノ尊重ヲ政治上ノ鐵則トセサルモノ無シト雖モ其等諸國ニ在リテハ民意ノ適法ニ發表セラレ得ベキ機關ト認會ヲ持チ且ツ之ヲ審定シ民意シテ國政ニ受ケ入ルルノ体制ヲ具ヘ輿論ヲシテ常規ヲ遵セシメス政治ヲシテ人民ノ總意ニ聽ハシムルヲ得ト雖支那ニハ其等ノ組織ト体制トヲ缺クカタメ、所謂輿論ナルモノハ形盛ノ途上ニ於テ若クハ之レヲ實行ニ私ス手段方法ニ於テ無難無統制トナルヲ免レハ。今支那ノ所謂輿論ナルモノノ形風ノ進途ヲ見ルニ少數人士ハ少壯無經驗ノ學生カ中心タリシコトアリ、時ニ無賴ノ徒タルコトアリ一カ又郡民衆ノ雷同性ヲ利用シテ其ノ意見ヲ周圍ニ傳播セシメ稍ヤ多數ノ贊同者ヲ得ルヤ彼等ハ徒黨ヲ組ミ其ノ集團的暴力ニ依リテ多量ヲ包攬シ以テ所謂輿論ナルモノヲ作り上ケ民衆集團運動ノ力ニ依リテ之ヲ實現セントスルヲ常トス而モ其運動ハ無軌道ニシテ暴力ヲ伴ナヒ之ガ對象トセラレタル内外人ハ暴行脅迫ヲ受ケ生活ヲ妨ケラレ家屋ハ焚カレ又ハ破壞セラレ斯

Ref. Doc 1133

産ハ焼却棄擲セラレ被害亦之ニ被ナヒタル例少ナ
カラス
而シテ此民衆運動ニ依リ最モ多ク害ヲ蒙リタルモ
ノハ英、日兩國ナルベシ之ヲ近年ノ例ノミニ付イ
テ見ルモ一九四二年ノ香港廣東各地ニ於ケル英
民衆暴動ノ如キ一九二五年ノ五〇三〇事件ノ如キ
一九二六年ノ漢口九江等ノ英國專管居留地同然ノ
爲メノ暴力運動ノ如キハ皆英國ノ權益侵害ヲ目的
トシ英國人ノ生命財産ハ脅威ノ別ナク暴力ノ對象
トナリ廣東沙面ニ於テハ戦斗状態ヲ生シ
リ又幾十回トナク繰返ヘサレタル日貨排斥ノ爲メ
ノ民衆運動ノ如キモ日貨不買日本人使用人ノ引揚
等ノ消極手段ヨリ日本人生命財産ニ對スル積極的
攻撃ニ迄發展シ亂暴狼藉言詰ニ至スルモノアリ、
往々ニシテ世界間レノ如キ民衆運動ノ如キ
トナリタルコトアリ一九〇〇年ノ國匪事件ハ皆ク
指クトスルモ一九二六年ノ北京事件當時ニ於ケル
一時的對外運動ハ其ノ最モ顯著ナル一例ナリ
觀テ前記民衆運動ニ對スル支那政府ノ態度ヲ見ル
ニ常ニ無爲ニ非ザレバ無策ニシテ之ガ彈壓ノ意
ナク扶手シテ運動ノ下火トナルヲ持ツ常トシ、日
貨排斥ノ民衆運動ニ際シテハ之ヲ煽動又ハ之ヲ利

Ref. Doc 1133.

用シテ日本ヲ屈從セシメントシタリ嘗テ排日禁止令ノ發布ヲ見タルコトアルモ一第一次排日禁止令ノ年頃ハ記憶セス、第二次禁止令ハ一九三五年ニ發布セラレ一何等ハ禁ナキ空文タリシニ更ギズ。民衆運動ガ如何ニシテ支那ニ於テ斯クモ進展ニシテ無軌道タルヲ得ルヤノ根本原因ハ右運動ノ本態ヲ會得スル上ニ於テ是非共知悉ヲ要スル所ナルガ支那民族ノ政治理念ト極メテ深キ點ヲ有ス、支那ノ人民ハ古來ヨリ他國ニ殆ド模倣ヲ見サル程ノ廣汎ナル自由ト無異、東トヲ享樂シ苟クモ之ヲ妨クルモノアラバ猛然トシテ反駁スルノ樂ニ有ス他方支那民族ハ舊來主變ニ厚ク彼等ノ營ム商工業ニ付テハ常ニ高揚者ヲ中心トスル強國ナルヲギルド一ヲ結成スル。

此ノギルド一ハ他國ノ産業組合トハ全ク成立ノ由來ト職能トヲ異ニシ法規ニ依リテ設ケラレタルモノニ非スシテ自衛的相互援助團體トシテ古昔ヨリ存在ス、其ノ職能ハ單ニ産業上ノ諸問題ノ處理ノミニ限局セラレス、日常生活婚姻葬祭ノ私享迄モ之ヲ規律シ團員ニ關スル民事事件ノ裁判及ビ私件スラ自治的ニ行フ所ノ世界特殊ノ組織ナリ、而カモ政府ハ多ク之ニ干涉スルヲ得ス、若シ政

Ref. Doc 1133

府ノ施策ニシテ彼等ノ利害範圍ニ反スルニ於テハ
暴力ニ依リ反噬ヲモ憚ルコトナキナリ
又該民族ハ亦自衛ニ付キ強烈ナル特殊觀念ヲ有ス
此ノ觀念ハ支那ノ無秩序ト内亂ノ頻發、賈賤ノ積
行ト政治ノ無力トニ拘ハラズ法律上ノ保護ニ多ク
期待シ得ザルコトニ緣由ス。
又該ヲ旅行シタルモノハ地方ノ最村ニ至ル迄銃口
ヲ附シタル城壁又ハ高壁ヲ廻ラスヲ見ルヘク、又
地方富豪等ニシテ數十、數百多キハ數千ノ武器ヲ
有スル設衛隊ヲ私有スル者少カラス、民賊暴徒ノ
武器ヲ有シ集團ヲ結成スル一面ノ理由モかたニ存
シ、又該ノ内亂ニ除シテ屢々結成セラル、官ノ統
制外ニ在ル面商、工團等ノ軍隊的組織ト訓練トラ
有スル私兵團ノ出現モ自衛設置トシテ支那民衆ノ
當然視スル現象ナリ、又支那ニ所謂雜軍ナル一
ノ自衛的兵團アリ、將領ノ私兵トシテ其ノ生命財
産ヲ保護シ兼ネテ兵員自身ヲ守リ、且地方民衆中
有産階級ノ求メニ應シテ其ノ生命財産ヲ保護ス、
而シテ雜軍ノ組織及ビ存立ニ付テハ支那ノ軍閥又
政府ハ毫モ與リ知ラサルヲ常トス、雜軍ニシテ往
々正規軍ニ編入セラレ、偽軍等ノ名ニ於テ支那
正規軍魁ノ規律ノ下ニ立ツコトアルモ、財政上ノ

Ref. Doc 1133

援助ヲ受クルヲ主眼トシ、邦本ノ備入レ、給與ノ
決定等ハ依然トシテ雜軍將領ノ手ニ亘ルモノ多シ
支那民族ノ自衛ニハ種々ノ特異點ヲ包藏ス、其ノ
第一ハ自衛ガ實力ノ行使ヲ伴ナヒ武器ハ自衛目的
ハ刀、劍、小、拳銃等ヲ所持シ往々砲ヲ使用スル
モノアリ、廣東「テルター」地方ニハ飛行機サヘ使
用スルモノアリト云ハル「」ヲ使用スルコトナリ、
其ノ第二ハ集團徒黨ヲ組ムコトニシテ、多量派合
ノ威力ガ常ニ發揮セラル、他ノ國家モ正當防衛ヲ
遂法トスルモ極端者カ緊急ヒムヲ得サル場合ニ於
テノミ此行動ニ出スルヲ認メラル、然ルニ支那民
族ノ自衛ハ緊急ノ危害ヲ蒙ラサルトキト雖、猶ホ
發動セラルルコトアリ。
其ノ第三ハ自衛集團ノ行動カ必スシモ沙規又ハ政
府ノ命令等ニ遵依セサルコトナリ。

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支那ノ自衛團體ハス性々ニシテ他ノ民衆運動ニ呼應シテ行動ヲ開始スルコトアリ、排外運動等ニ其ノ例アリ。

前記各種ノ特殊事情ハ支那ニ集团的民衆運動ヲ發生セシメ特異ノ行動ニ出デシムルニ至リタル緣因及理由ナリ之ガタメ支那ノ内政ニ獨特ノ形態ト方式トヲ與ヘタルハ勿論ナルカ外交問題ニ付テモ亦人民ノ意識ニ特殊性ヲ持タシメタリ、即チ外交ヲ以テ政府ノミニ任セ置クヘキモノトナサスシテ民衆自ラ立ツテ之ヲ自己ニ有利ニ展開セシムルヲ當然ノコトトセリ民衆カ外交問題ニ付キ集团的暴力ヲ用フルコト他ニニ類例ナキハ之ガタメナリ。

外交ニ關スル民衆ノ暴力行使ト政府ニ之ヲ鎮壓スルノ力ト誠意トラ缺クコトハ自然對手國ヲシテ國家ノ死活ニ關關スル重大問題ニ付キ自ラ右暴力ノ發動ヲ排除シ支那政府ノ外交ヲシテ軌道ニ上ラシムルノ軌道ニ出ズルヲ余儀ナカラシム。

(D) 種外排外ノ思想ノ強烈ナルコトモ見逃シ得ザルモノナリ。支那三千年ノ歴史ヲ見ルニ支那國民ノ在韓漢人種ハ他ノ支那國民ニ比シ高キ文化ヲ享受シ他民族ヲ以テ所請夷狄トナシ甚シキハ禽獸視セリ併ルニモ拘ラス漢人ハ常に四周ノ異民族ノ攻略ニ苦シミ彼

Ref Doc 1133

等ニ依リ全土ヲ征服セラル、ニ至リタルコト一事ナ
ラス於是乎異民族ニ對スルは爲ト恐怖トハ遂ニ該民
族ノ信託ノ一ニ構成スルニ至レリサレバ十八世紀
米人ノ始メテ支那ニ在リタルニ至ルヤ白人ヲ以テ夷
狄トシ之ヲ賤ミ之ヲ排斥シタリ、一八四二年英支南
京條約ガ外國人ヲ夷狄トシテ可カラサル旨ノ一偏條ヲ
設ケタルハ通關ノ消息ヲ隔ルモノナリ、其ノ後支那
民族ノ外人ニ對スルノ排斥多キヲ加ヘ該外排外ノ思
想ハ漸次緩和セラレタリト云足一度是ク内地ニ至ラ
ンカ今猶ホ該外排外ノ思想ハ多ク衰ヘタリト見ルコ
ト能ハズ唯從來内地居住ノ僑民ヲ有シタル外人ハ
基督教宣教師ノミナリシヲ以テ内地ニ於ケル該外思想
ノ發現ハ殆ンド皆右宣教師ニ付キテ起リタリ之レ單
ニ信仰上ノ問題タリシノミニ非ズ該外排外ノ思想ハ
多ク繰リ返マレタリ又支那ト外國トノ戰爭及戰國ハ
殆ンド支那ノ排外該外ノ思想ヲ背景トセザルモノナ
ク一八四二年英支阿片戦争一八三八年及一八六〇
年ノ英佛聯合軍戦争一八七四年雲南事件一九〇〇年
日露戦争一九三二年及一九三七年ノ日支事件一九二
六年ノ南京事件等一層々繰返サレタル該外民衆過激
モ素ヨリ然リシナリ。而シテ支那ノ該外排外ノ思想
ノ強烈ハ支那ヲ對手トスル外交ニ特殊ノ方策ヲ余儀

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ナカラシメタリ。

支那ノ排外感情ノ思想ニ直衝シテ最モ苦シキ立場ニ在リタルハ日本ナリ、蓋シ日本ノ支那ニ對スル關係ハ別項ニ説明スル如ク日本ノ生存權ノ保持上絶對ニ讓歩シ又ハ極忍シ難キ幾多ノ條件ヲ有シ支那ノ排外思想ヲ突破セザルヲ得ザル苦境ニ在ルカタメナリ。

第二章 支那ノ外交手段ノ特殊化ハ外交交渉ノ方式ヲ特殊ナラシム

(A) 以英獨美ノ方策ハ對支外交ヲ複雜多難ナラシメタリ、支那ガ一八四二年開國以來久シク先進諸國ノ壓迫ニ呻吟シ自力ニ依ル事態ノ變革ヲ至難ト見ルヤ一外國ヲシテ他外國ヲ牽制セシメ反間苦肉ノ策ヲ以テ難局ヲ打開セシコトヲ期シタリ、而シテ支那ニ在リテ最モ長ク優越ノ地位ヲ確保シ得タル英國ハ最モ永ク此ノ策謀ノ對象トナレリ。日本モ亦屢々其ノ厄ヲ蒙リタリ。日本ガ日支問題ニ付キ出來得ル限り第三國ノ干渉又ハ容喩ヲ避ケントシタルハ事件ノ糾紛ヲ避ケ以テ解決ヲ容易ナラシメントノ用意ニ出テタルモノニシテ他意有ルニ非ス、蓋東「モンロー」主義ノ樹立ノ如キハ素ヨリ夢想ダモセザル所ナリ、日本カ一九三二年米英佛三國ノ日支協定ニ據スル調停に出

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ヲ拒絶シタルモ「リッホーン」委員會ノ報告ノ採用ヲ
拒絶シタルモ亦此ノ趣旨ニ出テタルモノナリ
(B) 中央地方ノ兩政府ハ互ニ責任ヲ逃避シ外交々々ノ
妥結ヲ至難ナラシメタリ、對支外交々々上支那全土
又ハ二省以上ニ關スル一般的案件ニ付テハ主トシテ
中央政府ヲ又地方的問題ハ之ヲ當該地方政府ヲ對手
トスルハ在來ニ於ケル日本ノ方針ナリ然レトモ中央
地方ノ利害關係ノ複雑錯綜ハ右方針ヲ嚴密ナラシメ
スシテ中央、地方兩政府ヲ對手トシテ交渉セラレサ
ル可カラザリシコト多シ然レトモ多クノ場合兩國ノ
政府ノ責任回避ニ遭遇シ中央ハ地方ノ意向ヲ云爲シ
地方ハ中央トノ交渉ヲ求メタル例多シ之ニ甚ク交渉
ノ複雑ト遷延ハ忍フ可シトスルモ、如何ニ緊急重要
ノ案件ナリトモ長年月ノ努力ニ拘ハラズ解決ノ曙光
ヲサヘ認ムルヲ得サリシ幾多ノ事案ヲ記憶ス、支那
ノ不統一其ノ他ノ事情ハ斯クノ如キ事態ノ發生ヲ已
ムナカラシムルハ論ナキモ對手國ハ之レカ爲メ長期
ニ亘ル忍耐ト權益喪失トヲ餘儀ナクセラレタリ、而
シテ事ノ趣メテ緊急重要ナルモノニ在リテハ、對支
國カ遂ニ妥結ニ付キ普通ノ外交手段ニ依ルヲ得スト
思惟スルニ至ルコトアリトモ悉ク之ヲ不合理ト斷ス
ヘキニアラス

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(C) 支那政府カ政策實行ノ手段トシテ民衆運動ヲ利用
シタルコトモ亦支那ニ於ケル特殊事情ノ一トス 巧
妙ナル辭令ヲ用ヒ隱密ナル手段ヲ弄シ以テ外交々渉
ヲ推進スルノ妙ヲ得タル點ニ於テ支那ハ世界有數ノ
國ニシテ屢々民衆運動ヲ利用シテ交渉ヲ有利ニ展開
セシメントシタリ 然レトモ支那民衆ハ常ニ必ニシ
モ政府ノ意圖ニ副フモノニ非サルヲ以テ民衆運動利
用ニ當ツテハ尤モ民心ヲ捕ヘ得ヘキ間口ヲ取上ケサ
ル可カラス 於是乎支那政府ハ近年利權回收ニ民衆
運動ヲ利用スルコトニ成功シタリ蓋シ利權回收ハ支
那政府ノ最も關心スル所ニシテ蔣介石將軍ノ政府ノ
如キモ一九二六年南京奠都後間モナク之ヲ以テ外交
上ノ一要諦トシタリ、而シテ此利權回收熱ハ日甚長
等ノ頃ヨリ早クモ行ハレ既ニ支那上下ノ心ニ喰ヒ入
リ居ルヲ以テ政府トシテ最も民心ヲ捕フルニ適當ナ
ル問題ナリシナリ、
他方外交官ニ依ル利權回收交渉ハ事實ニ難關ニ遭遇
シ租界回收、治外法權撤廢、關稅自主權回復等ノ諸
問題ハ何レモ支那内部ノ事情ハ例ヘハ治外法權撤廢
ニ關シテハ支那法制ノ整備ヲ條件トスル主義上ノ執
廢アリタルノミト列國ノ利害關係ノ錯綜ハ例ヘハ

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治外法權撤廃ニ付キ關係國ハ列國ノ地位ノ均等ヲ毀
損センコトヲ惡シ他ノ一切ノ關係國ノ同意ヲ條件ト
シテ撤廃ニ同意シタルカ如シ(若クハ一部國任外國
ノ不承諾(例ヘハ伊太利カ自國專管居留地ノ撤廃ニ
強硬ナル反對意見ヲ表明シタルカ如シ)等ノ爲メ急
速ノ解決ヲ至極ト見ルヤ、支那政府ハ一方外交交渉
ヲ繼續シナカラ、他面時ニ民衆運動ヲ煽動シ又ハ之
ヲ利用便賊シテ交渉促進ノ手段トシタリ、尤モ民衆
運動者ハ常ニ必スシモ政府ノ意圖通りニハ行動セス
往々外交交渉ノ進展拙劣ヲ攻撃シテ當局ニ暴行ヲ加
ヘタルコトスラ有り(例一九二七年外交部長王正廷
氏カ外交部ニ於テ民衆ノ發帥キニ遇ヘルカ如シ)然
レトモ運動ノ鋒銳カ外國側ニ向ケラル、限リ政府ハ
巧ニ之ヲ利用シ、其ノ暴行脅迫外資ノ毀焼、外國人
住宅ノ侵入破壊等條約ニ違反シ人道ヲ無視シタル右
行動ヲ袖手傍觀シ、彼等ノ段力ニ依リ自己ノ交渉ノ
有利ナル發展ヲ期待シタリ、關係國ハ何レモ民衆運
動ノ脅威ニ苦シミ、毎ニ支那政府ニ對シ嚴重抗議ヲ
繰返シタルモ支那政府ハ或ハ形式的ナル説諭ヲ加ヘ
又ハ体裁ノミノ取締ヲ爲スニ止マリ素ヨリ之レカ鎮

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臣ノ誠意ト實力トヲ依キ寧ロ私カニ其ノ益々盛ナラシ
ンヲ欲シタリト見ルヘキ場合少ナカラス、蓋タシキ
ニ至ツテハ支那政府ハ外國側ノ抗議ニ對シ憂國運動
タル民衆運動ハ之ヲ防止スヘキニ非スト演言スルニ
至レリ、斯クテ列國ハ讓歩ニ讓歩ヲ重ネテ支那政府
ノ要求ニ屈從セサルヲ得サルニ至レル例ハ之ヲ一九
二六年ノ漢口九江、兩英國專管居留地ニ對スル地方
暴民ノ暴行ニアヒ英國カ遂ニ所關對支新政策ヲ聲明
シ之カ同收取權ニ關印セサルヲ得サリシ事件其他ニ
之ヲ見ルヲ得ヘシ「以良制夷」政策ハ決シテ外交ノ
正道ニ非サルモ豈テ不法ト云フ可カラス、然レトモ
民衆ガ暴力ヲ以テ外國人ノ生命財産及ヒ利益ニ重大
ナル危害ト脅威トラ加フルヲ便儀シ又ハ傍觀シ之ヲ
外交々渉ニ利用スルニ至ツテハ他ノ諸國ニ全ク類例
ヲ見サル非友好的ナル暴戾手段ナリ、而シテ之レニ
依リ頻繁且ツ最モ酷烈ナル災厄ヲ蒙リタルモノハ日
本政府及ヒ日本國民ナリ、度重リシ排日運動ニ於テ
幼老婦女子ニ至ル迄支那在留者ノ全部ノ受ケタル災
厄ハ激甚ニシテ民衆運動者ノ亂暴狼藉殆ント筆紙ニ
盡シ難キモノアリ、日本政府ハ頻リニ抗議ヲ提起シ
暴行集團ノ彈壓ト損害ノ賠償ト電後斯クノ如キ事態

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ヲ生セシメサル保障トヲ支那政府ニ要求シタルモ、
幾百ノ抗議ハ深淵ニ投シタル砂礫ノ如ク何等ノ効果
ヲ見ルコト能ハスシテ己ミ在留日本人ハ職ヲ失ヒ業
ヲ離レ廷ヲ失ヒ住家ヲ迫ハレ其日々々ノ生活ヲスラ
爲シ能ハサル悲惨ナル境遇ニ陥リタル者甚タ多ク往
々生命ヲ失フ者有ルニ至レリ斯クテハ最小限度ノ
貿易ヲスラ之ヲ持續シ難シ況ンヤ救國ノ重大問題タ
ル支那トノ經濟提携ノ如キハ夢想タモ爲シ得サル窮
境ニ陥リタリ、此事態ハ最初ノ内コソ局地的ニシテ
賠償期間モ補々短カカリシカ漸次支那全土ニ及マリ
且長期ニ亘ルニ至レルヲ以テ國家ノ滅亡ト對支道法
權益ノ喪失トヲ避クルカ爲メ日本ハ外交ノ常道以外
ノ方法ニ依リテ局面ヲ打開セサルヲ得サル狀勢ニ迄
迫ヒ込マレタリ、滿洲事件、支那事變等ノ勃發ヲ考
フルニ當ツテハ右ノ狀勢ヲ考慮ニ入レサル限リ決シ
テ妥當ナル判斷ヲ下スコト能ハスト思フ

Ref Doc 1133

第三章 日支兩國ノ特殊關係ハ日本ノ生存ト直接シ未
解決ノ虞ニ付シ長クヲ待サル重大永年ヲ懷シメタ
リ。支那ニ重大ナル利害關係ヲ有スル國家多シト雖
家生存ノタメ一ヨモ速カニ解決セラレサル可カラサル
數多ノ重要外交條件ヲ有スルモノハ日本ヲ指イテ觀ニ
存在セズ

支那問題カ日本ノ死活ノ關鍵タルハ領土ノ近接ナル地
理的特殊事情ニ基クハ言フ迄モナク之ヲ歐戰時ノ對
支關係ト同一ニ論スヘキニ非ス一九一七年ノ日米開石
井ラッパリング協定カ地理的接近ニ基ク日本ノ特殊地位
ヲ認メタルハ其ノ證左ナリ然レドモ更ニ要ク其ノ由來
スル所ヲ考フルニ過剩人口ノ壓迫ニ基ク日本ノ現状ト
其ノ處理上ニ於ケル支那特殊地位トニ在スト云フヘ
シ日本ハ年々約八九十萬ノ人口増加ニ苦ミ之レカ當然
ノ結果タル政治上、社會上及ヒ經濟上ノ苦難ト不安ト
ハ年ト共ニ増大シ之カ對策宜シキヲ待ルヤ否ヤハ國家
存亡ニ關ル緊要ノ重大問題トナレリ然ルニ不幸ニシテ
日本國內ニハ殆ント無餘ノ余地ヲ留サス。產兒補填亦
到底有效ナル程度ニ推進スルヲ待ス剩ス所ハ海外移民
ト工業振興ノ二者アルノミナリシテ然ルニ移民ノ適
應適地ハ何レモ日本國民ニ對シテラレ甚々シキニ至ツ

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テハ損失大ナル事ト過大ナル被害トニ算マルルニ到ヘ
ラス既往ノ日本多氏スラ又ラ排除排斥スル事有リ、州
クテ海外移民ニ使ル過剰人口ノ増加ハ近知全ク望望的
トナリ勢ヒカサレタル唯一ノ途タル工業振興ニ在ルニ
非ニソハ日本ハ將ニ滅亡セントナルニ至レリ、然ルニ
日本カ被害ト地域トニ遠ダ越マレサルハ暴王暴虐興ニ
望望必キナル原故ハ又ラ海外ニ求メサル可カラヌ製品
市場モ亦外敵ニ又ラ奪サル可カラサルニ到ハラヌ事
ハ日本ノ所期ヲ去ルコト甚々遠カリシナリ、今工業振
料ニ付テ見レハ近年日本工業力、生産力ヲ増大シ製品
ノ海外進出ノ増加トナルニツレ生産額ノ多額ハ原料供
給ニ漸次制限ヲ加ヘ原料供給反ヒ甚々、動産ノ直前ニ
至ルヤ、露露露中露出入ノ制限禁止、露露制度ノ運用
當露者ノ取引制限其ノ他ノ露露ナル露露制限ニ依リ日
本工業ハ近々シキ壓迫ニ合シミタリ更ニ之ヲ日本製品
ノ露露市場ニ付テ見ルニ第一次世界大戦終結モナク
シテ日本露露ハ露ト共ニ甚々激烈ヲ加フル露露露露
入露止其ノ他ノ露露ノ下ニ在リテ大ナル露露將來ニ記
ク露ハサルニ至リ日本政府ハ排斥露露ノ露露ヲ露露
ニ露ホ足ラサリシナリ。
新クテ日本ヲシテ露ク世界ヲ露手トスル工業振興ノ方

Ref. Doc 1133

謝ヲ蒙テテ、一切ノ勞力ヲ又ハ大ニ集中シ、以テ
國家ノ生存ヲ保ヘルノ爲ナキニ至ラシメ遂ニ別
件及支那經濟左ノ點ヲ作りタリ蓋シ詰ルニ日本國民
排斥ト對日出入貿易額過カ一半ノ咎ヲ悉クヘキナリ
ト云フモ過言ニ非サルヘシ、日本ハ蒙ヨリ支那ニ對シ
テ實ニ土着的關心ヲ有セス、兩國ノ經濟提携ニ對シ日本ハ
其ノ足ラサル物資ヲ支那ニ求メ又支那ハ其ノ足ラサル製
品ヲ日本ニ求メトメ、兩國ノ相補ヲツテ兩國ノ
經濟ト東亞ノ平和トヲ實現シ世界ノ平和ニ貢獻セント
シ敢テ他顧無カリシナリ、之レヲヨリ虛懸ナル外交辭
令ニ非ス、余ノ外交官タリシ二十餘年ニ亙リ上層ヨリ
解エスニカサレ且ツ余カ一兵トシテ實現ニ努力シタル
日本ノ對支方針ノ始終ナリ、日本カ威嚇的ニシテ暴力
的ナル號召ニ亙ル支那ノ抗日抗日ノ運動ニ對シテモ
憤忍ヲ重ヲ重ネ來リタルモ窮途ニ於テ日支兩國ハ提携
關係ニ在ルハキ運命ニ置カレタリト思惟シタルカ爲ナ
リ然ルニ他國油ニハ此運命ノ達成ヲ望ムヘキ若干ノ
重大問題存シタリ其ノ主要ナルモノニ曰ク不平等關係
アリ平等無クハ提携ナシ日本ハ夙ニ不平等ヲ是正シ
日支兩國カ平等ノ地位ニ立テテ有無相通ノ關係且ツ完
全ナル安寧ニ至ラシコトヲ期シタリ、元來日本カ支那

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ニ於テ不平等ノ實態ヲ有スルニ至リタルハ英歳其ノ他
ノ諸國ニ於ルルコト五十餘年、一八九五年ノ日清戦争
抗條約締結ニ始マリタルニ適チナリシカ一九〇一年
ノ追加日清通商航海條約ニ依リ早クモ治外法權撤廢ノ
原則ヲ協定シ、又イテ一九二二年ノ華盛頓會議ニ於テ
續條約ハ採擇セラレタル廢條約及ビ協定ニモ敢然チ加
シ更ニ一九二五年ノ北京ニ開催セラレタル東亞國際稅收
訂ニ關スル國際會議ニ於テハ貿易上ノ損失ノ少ナカラ
サルヲモ志ミス支那ノ關稅自主權回復ニ付キ最モリベ
ラルナル條約ヲ提出シテ管轄ヲ主張シタリ其後ニ於
テモ不平等條約ノ撤廢ニ關スル支那ノ國民的願望ニ對
シテハ常ニ意モ參クノ同情ヲ表シ又レカ實現ノ一日モ
遠カナランコトヲ期シタリ不幸ニシテ列國ノ利害關係
ノ錯綜其ノ他ノ理由ハ右ノ實現ヲ遲延セシムルニ至リ
タルモ一九四〇年ニ至リ遂早クモ南京政府トノ間ニ數
回ノ協約ヲ締結シテ治外法權ヲ撤廢シ實際居留地ヲ還
付シ經濟提携ノ原則的規定ヲ設クルニ至レリ右條約カ
今日ニ於テハ效力ヲ認メラレサルニ至リタリトハ云ヘ
日本ノ外交基本方針カ何レニ在リシヤヲ窺知シ得ヘキ
一資料ナリ當時日本ハ更ニ進ンテ支那ノ福利ニ貢獻シ
得ヘキ條約ヲ締結スルノ用意ヲ有シタリ蔣介石氏ノ政

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體ニシテ若シ日本ト極手スルニ於テハ日本ハ
モトヨリ右ト國祿ノ態度ヲ持シ日支經濟提
揚シテ雙方ノ益ルル所トナルニ於テハ一層ノ進歩ヲ爲
スノ希望ヲ有シタリ、將政體ノ最も重大視シタル日本
ノ全而的撤兵ノ如キハ出兵ノ當初ヨリノ方針ニ基キ妥
結ヲ見込給近カニ實現セラルハキニノタリシナリ然ル
ニ不幸ニシテ日本ノ同政體ニ對スル屢次ノ和平交渉ハ
全然其ノ受ケ入ルル所トナラズシテ、遂ニ今日ノ如キ
二分ヲ齎ラシタルハ誠ニ遺憾ニ堪ヘサル所ナリ日本ノ
對支方針カ經濟提携ニ至リタリトモ何故ニ武カヲ以
テ之ニ臨ミタリヤ武カノ有使ハ却ツテ日本ノ經濟提携
ヲ不可能ナラシムルニ非スヤトスル意見ハ蓋シ世界ニ
廣ク行ハルル所ナルヘシ日本亦主として此目標ニ實
面ヲオシマサル所ナルモ頗何ニシテ支那ノ形勢カ日本ヲ
シテ外交ノ常道ヲ離レ過激手段ニ出ツルヲ諒義ナカラ
シメタル次第ハ第一章第二章及ヒ本章ニ略述シタリ要
ハ日本ノ國家生命ヲ維持スルノ必要ニ迫ラレタル日本
ハ支那ノ特殊事情ニ對シテ正道ニ依ル長年月ニ亘ル
外交交渉カ何等ノ成果ヲ得ラサズシテ却ツテ支那ノ氏
衆運動等ノ暴力ニ依ル挑発ニ直面シ己ムニ已マレスシ
テ既得利益ト文部在留日本國民ノ生命財産トラ保護シ
アワセテ他日日文ノ全而的經濟提携ノ期ニ到達スルノ

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素地ヲ作ラシカ爲メナリシナリ、日本ノ支那ヘノ侵蝕
ノ必要ト熱意ト有リ、此等事件及支那事變當時ノ如ク高潮
ニ達シタル時期ハ曾テ又レナシ、此時ニ當ツテ日本ハナ
ンゾ好シテ一時固ニテモ國交ヲ阻害スルカ如キ情勢ニ
出テシヤ元來外交ノ誘引ハ往々ニシテ對手國民感情ノ
利用ニ依リテ爲サルルコトアリ、武力ノ脅威又ハ行使
ニ依リテ力ニ弱キ支那人ノ感情ヲ利用シタルハ其ノ例
ニシテ一八四二年支那南國以來十九世紀及二十世紀ノ
前半期ニ於ケル英佛露諸國ト支那トノ間ニ締結セラレ
タル諸條約ノ過半数ハ此ノ賁賂ニ依リ成レリト云フモ
過言ニ非ス、一八九〇年ノ國權事件解決ニ關スル諸
條約ノ如キハ多數大國ノ聯合兵力ニ依リテ締結ヲ可能
ナラシメラレタリ、近年ニ至リ歐米諸國カ此ノ手段ヲ益々
ニ用キタルノ例ハ多ク又ラ國カスト雖絶無ニアラス、
現ニ一九二五年五、三〇事件ニ於テ兵船カ二萬ノ大兵
ヲ支那ニ上陸セシメ他ノ列強モ亦陸戰隊ヲ上海ニ上陸
セシメ一九二六年英艦ハ萬縣ヲ擄奪シ一九二〇年（？
）「ソ」一海ハ張作霖ノ所「ソ」ニ封シ支那西北兩廣
境地方ニ於テ租界ヲ攻撃シ一九二六年ノ南京事件ノ
際米、英、日等諸國ノ軍艦ハ南京城ヲ砲撃シタリ、而
シテ列強カ京津地方ニ永年ニ亘リ守備隊ヲ派遣シ又支

Reg. Doc. 1133

部ノ海兵、沿江ノ重要都市ニ駐紮ヲ搭置シタル多数
 軍隊ヲ常駐セシメ、又度々在留ハテ以テ加締セラレ、
 武官ニ依リテ行政ヲ行ハルル一重ノ機關部隊ヲ維持
 シタルコト等ハ官制一ノ場合ニ於ケル重カ行停ヲ節提
 トス右ノ内北支那地方ノ割譲ハ一九二二年義和團會
 盟條約ニ依リテ停止セラルルカト云々ハ其後於ト
 シテ存留シタリ。

或ハ之ヲ以テ居留民ノ保護ノ非常必要ニ出タリト爲ス者アルヘシト雖國利ノ保護カ在留民ノ保護以外ニ多ク存セサル諸外國ニトリテハ前記ノ支那ヘノ武力常置ハ事實上居留民ノ保護ノミヲ目的トシ得ヘキモ日本ノ對支利害ハ之ト大ニ趣ヲ異ニス殊ニ日支經濟提携上ノ利益カ日本ノ存亡ニ係ル重大利益タルハ既述シタル通りニシテ萬已ムヲ得サル場合ニ於テ之レカ保護ニ強硬手段ヲ用ヒルコトアルヘキハ他國ノ認識セサルヲ得サル所ナルヘシト信ス

一般ノ國家間ニ於テハ一國ノ他國ニ對スル兵力行使ハ戰爭トナリ之ヲ行使セストモ兵力ニ依ル威壓ハ戰爭發生ノ危險ヲ包藏スルヲ常トスルモ支那ニ於テハ必スシモ然ラサル特殊ノ事情ノ存スルコトモ亦此際考慮ヲ要スル事情ナリ嘗テ英國ハ一八七四年ノ雲南事件ニ際シ兵力ヲ香港ニ集中シテ芝罘條約ヲ締結シ得タリト雖モ右ハ英支戰爭ニ發展スルコトナクシテ已ミ一九二五年ノ五卅事件ニ際シ英國ハ二萬ノ兵力ヲ支那ニ上陸セシメテ日本ニモ共同出兵ヲ勸告シタルカ拒絕セラレタリ一事件ノ解決ヲ圖リタレトモ之カ爲メ兩國間ノ戰爭ヲ惹起スルニ至ラサル事實アリ又一九二六年ノ南京事件ニ際シテノ英米協等ノ諸國軍艦ノ南京城砲撃モ亦對支戰爭トナラス一九二九年「ソ」聯軍ノ張學良

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集意モ亦之ヲ戦争トセラルルコト無カリシナリ
斯ク觀シ來レハ支那ヲ對手トスル外交ハ他ノ一環
外交ト異ナル一種對待ノモノニシテ兵力ヲ以テシ
又ハ其脅威ヲ以テスルノ差アリトハ云ヘ對支強力
行使ハ重大ナル外交條件解決ノ爲メ列強カ屢々用
ヒタル手段ナリ

排日問題解決ニ付キ日本カ支那ニ強力ヲ行使シタ
ルハ右等ノ先縱ニ從ヒタルモノト見ルヘク假令之
カ一種國際法規定ノ違反ナリトスルモ支那ノ特殊
事情ハ遺憾作ラ日本ヲシテ此行動ニ出ヅルヲ餘儀
ナカラシメタリ

滿洲事件及支那事變ニ於テ日本カ兵力ヲ動カシタ
ル眞目的ヲ最ニ繰返シテ進フレハ民衆ノ對日暴力
ヲ除去シ日支外交ヲシテ軌道ニ上ラシメ以テ日支
間條約ノ保障シタル權利利益ヲ保護シ且ツ日本ノ
死活問題タル日支經濟提携ニ歸スル日支兩國政府
間ノ齟齬ナル妥結ヲ容易ナラシメントシタルニ過
キス故ニ若シ右妥結ノ可能ナラメムル事態タニ發
生セハ支那ヨリ全面的ニ撤兵スヘキハ日本政府ノ
當初ヨリノ意圖ナリ蔣介石將軍ノ指揮下ニ在ル重
慶政府ハ撤兵ヲ先決問題トシ經濟提携其他ノ外交
交渉ハ撤兵實行ノ上ナラテハ之ヲ爲スヲ得ストノ
意向ヲ表明シタルコトアルモ既述ノ支那ノ特殊事
態ハ日本政府ヲシテ此意向ニ副フコト能ハサラシ

Defence Doc. 1133.

メタルヲ遺棄トス

要スルニ兩事變ニ際シテノ日本ノ支那出兵ハ全然
侵略ノ意圖ヲ包藏セサル純然タル自衛的軍事行動
ナリ而シテ此種軍事行動ハ條約ノ違反ニ非ス日本
ハ一九二八年「ケロツグ」・「ブリアン」條約ノ締結
ニ當リ米英兩國ト同シク自衛權ノ行使ニ對シ同條
約カ適用セラルヘキ趣旨ノ當保ヲ附シタリ而シテ
自衛ノ必要ト程度トヲ當該國ノミカ決定シ得ヘキ
事項トスル米英兩國紛争ノ當時ニ於ケル聲明ハ日本
ノ素ヨリ賛同シタル所ナリ從テ右兩事變ニ於ケル
武力行使ノ程度及方法ヲ決スヘキ地位ニ在ルモノ
ハ日本ヲ措イテ他ニ有ラス

之ヲ以テ戦争ト見ルヘキヤ否ヤハ蓋シ意見ノ岐ル
ル所ナルヘシト雖モ日本ニ戦争ノ意圖ナク宣戰ナ
ク支那亦開戦ヲ宣シタルコトナク且ツ過去ニ於ケ
ル列強ノ對支武力行使カ戦争ト認メラレサリシ多
數ノ事實アルコト等ヲ鑑ミルヲ要シ武力行使ヲ以
テ一律ニ戦争ナリト斷スルハ支那ニ於ケル特殊ナ
ル事態ヲ無視スルモノト云フヘク淞洲事件及支那
事變ヲ以テ戦争ト思惟セサル日本カ兩事件ニ對シ
一切ノ戦争法規ヲ適用スヘキニ非スト主張スルハ
當然ナリ

日本ノ企及スル日支經濟提携ハ滿洲事件及支那事
 變ニ於ケル日本ノ武力行使アリタリトテ之ヲ侵略
 ト見ルハ當ラス、若シ侵略ナル字句カ勢力ノ對外
 發展ヲ意味スルニ於テハ經濟侵略國ハ日本ノミニ
 非ス、然レ共若シ之ヲ文字本來ノ意義ニ依ル侵略
 ヲ意味スルニ於テハ、日本ヲ經濟侵略國ト稱スル
 ハ甚タシキ誣謗ナリ、日本ハ支那トノ相互ノ了解
 ヲ基礎トシ日本ノ過剩人口ノ極大ナル壓迫ヨリ免
 カレ以テ其ノ生命ヲ維持セントシタルニ過キス、
 一九〇〇年列強カ北支ニ於テ大兵力ヲ行使シタル
 モ此等諸國ノ對支經濟發展ヲ以テ經濟侵略トナス
 者ナク又一九二五年南京事件ニ際シ英佛等諸國軍
 艦カ南京市ヲ砲撃シタルモ此等諸國ノ對支經濟活
 動ヲ經濟侵略ト云フ者アリトハ予ノ未タ嘗テ聞知
 セサル所ナリ、日支經濟提携乃至條約上ノ權利ニ
 基ク日本人ノ經濟活動カ滿洲事件及支那事變ニ於
 ケル武力行使ニ依リテ如何ニシテ經濟侵略ニ變質
 スヘキヤノ理由ヲ解スルニ苦シム

前記日本ノ企圖スル日支經濟提携ハ亦支那ニ於ケ
 ル列國ノ商工業上ノ機會均等主義ヲ否認スルモノ
 ニ非ス此主義ハ一九〇〇年ノ「ヘイ」國務卿ノ提
 議認諾以來日本ハ此主義ヲ確認スル凡テノ條約又
 ハ約定ニ參加シ屢次ニ亘リ之カ嚴守ヲ約束シ假令
 經濟利益ニ好マシカラサル影響アル場合ニ於テモ

之カ實施ニ付キ努力ヲ各マサリシナリ、從テ日本ノ提唱スル日支經濟提携ハ支那ニ於ケル如何ナル經濟活動ニ付テモ日本人ニ獨占的利便ヲ獲得セシメントスルニ非ス、然レ共茲ニ附言セサルヲ得サル一事アリ

滿洲事件及支那事變ノ進行中ニ於テ機會均等主義カ事實上嚴格ニ行ハレ得サル事變ノ存シタルコトナリ此事態ハ略ホ左記ノ事實由ニ起キ發生シタリ即チ(A)軍ノ行動上絕對必要ナル物資ノ購入等ニ當リテ納入物資カ額メテ多量ニシテ事實上外國人カ之ヲ購入スルノ餘裕甚タ少カリシコト(B)戰國等ノ爲メ一般商取引カ一時甚タシク阻害セラレタルコト(C)戰國ノ行ハルル地域ニ於ケル安寧秩序カ一時甚タシク亂レタル爲メ一般外國人ハ商取引ヲ手控ヘサルヲ得サリシコト(D)軍略上ノ必要ニ依リ外國人ノ往來カ一時禁止セラレタル地方アルコト即チ是ナリ

又往々日本商社ニ獨占ニ類スル特權ヲ與ヘラレタルコトアルモ右ハ限ラレタル特定事業ニ於テノミ存シ右特定事業ノ同種ノ事業ニ對スル外國人ノ經營ヲ否認シタルコトナシ而シテ右ハ日本ノ對支武力行使ニ伴フ當然ノ結果タル已ムヲ得サル一時的變態ニシテ事態ノ改善ト共ニ漸次復舊スヘキ性質ノモノナリ、之ヲ以テ日

Ref. Doc 1133

本カ外國ノ商工業上ノ均等ナル機會ヲ拒絕シタリ
ト爲スハ蓋シ過當ノ誣言ナリ、支那ヨリノ全面的
撤兵カ出兵ノ當初ヨリノ日本ノ方針タリシコトヲ
想ヘハ右一時的措置ニ多大ノ重點ヲ置クハ當ラス
ト思考ス、内亂外亂其他ノ事變ニ際シ外國人ノ條
約上ノ權利カ已ムヲ爲サル事由ニ依リ一時享有ヲ
制限又ハ停止セラルルコトアルノ例世界ニ甚々多
シ右カ假令條約違反ト認メサル可カラサル場合ニ
於テモ關係國ハ之ヲ忍ビタリ、日本ニ對シテノミ
寛容ノ態度ヲ持シ得サルノ理ナキニ非スヤ